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Date: 11/9/2004

Julie A. Eslick  
Signature of Person Mailing Correspondence

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PATENT**

|               |                  |                   |               |
|---------------|------------------|-------------------|---------------|
| Applicant(s): | Robert E. Scarla | Docket No.:       | 42994.0217    |
| Serial No.:   | 10/605,934       | Group Art Unit:   | 3724          |
| Filed:        | November 6, 2003 | Examiner:         | Hwei Siu Chou |
| Title:        | UTILITY KNIFE    | Confirmation No.: | 2933          |

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Commissioner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R., §§1.97 and 1.98, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents listed on the attached Form PTO/SB/08A. Applicant respectfully submits that all pending claims are patentable over the foregoing references, alone or in combination. The Examiner is requested to initial the enclosed Form PTO/SB/08A and return a copy thereof to the undersigned.

The items listed on Form PTO/SB/08A may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

The submission of the listed documents can be assumed as prior art; however, we reserve the right to determine that the knife may not be prior art and distinguish the present invention from this knife. Further, Applicants do not waive any right to take any

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action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. Furthermore, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

1. ☐ For each of the following items listed on the enclosed copy of Form PTO/SB/08A that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
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2. ☐ Any copy of the items listed on the enclosed copy of Form PTO/SB/08A that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior ☐ Parent Application, ☐ Continuation, ☐ Divisional or ☐ Continuation-In-Part application under 37 C.F.R. §1.97, U.S. Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

3. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.

☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.

4. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 3 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 8 below.

5. ☒ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 3 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):

☒ A check in the amount of \$180.00 is enclosed in payment of the fee.

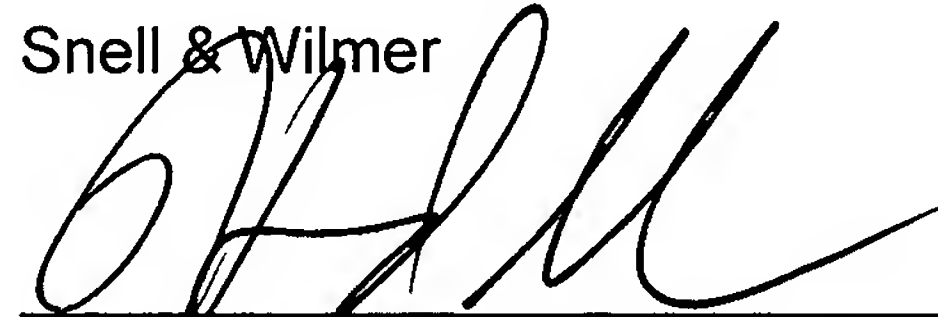
- ☐ Charge the fee to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
6. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 8 below; and
  - b. the attached petition requesting consideration of this Information Disclosure Statement; and
  - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 9 below.
7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
- a. ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;
  - b. ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.
  - c. The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 9 below.
8. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
9. ☒ A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(p).

[ ] Charge the fee due under 37 C.F.R. §1.17(i)(1) to Deposit Account No. 19-2814.  
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[ X ] The Commissioner is hereby authorized to charge any additional fees which may  
be required for this Information Disclosure Statement, or credit any overpayment  
to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS  
ATTACHED.

Respectfully submitted,

Snell & Wilmer



Howard I. Sobelman

Registration No. 39,038

Dated: 11/8/04

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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of

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**Complete if Known**

|                        |                     |
|------------------------|---------------------|
| Application Number     | 10/605,934          |
| Filing Date            | November 6, 2003    |
| First Named Inventor   | Robert E. Scarla    |
| Art Unit               | 3724                |
| Examiner Name          | Hwei Siu Chou Payer |
| Attorney Docket Number | 42994.0217          |

**U.S. PATENT DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number  |                                      | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|-----------------------|--------------------------|------------------|--------------------------------------|--------------------------------|--|---|
|                       |                          | Number           | Kind Code <sup>2</sup><br>(if known) |                                |  |   |
|                       |                          | US- 3,845,554    |                                      | 11/05/1974                     | Joanis, et al.                                     |   |
|                       |                          | US- 4,408,396    |                                      | 10/11/1983                     | Scholl   |   |
|                       |                          | US- 4,575,940    |                                      | 03/18/1986                     | Wenzel   |   |
|                       |                          | US- 4,620,369    |                                      | 11/04/1986                     | Grecken  |   |
|                       |                          | US- 5,303,469    |                                      | 04/19/1994                     | Yin-Han  |   |
|                       |                          | US- 6,026,575    |                                      | 02/22/2000                     | Wonderley  |   |
|                       |                          | US- 6,263,581    |                                      | 07/24/2001                     | Forte  |   |
|                       |                          | US- 6,574,868    |                                      | 06/10/2003                     | Overholt   |   |
|                       |                          | US- 2004/0107580 |                                      | 06/10/2004                     | Ping   |   |
|                       |                          | US-              |                                      |                                |  |   |
|                       |                          | US-              |                                      |                                |  |   |
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**FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Foreign Patent Document |                     |                                 | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|-----------------------|--------------------------|-------------------------|---------------------|---------------------------------|--------------------------------|--|--|----------------|
|                       |                          | Office <sup>3</sup>     | Number <sup>4</sup> | Kind <sup>5</sup><br>(if known) |                                |  |  |                |
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Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| <b>Substitute for form 1449B/PTO</b><br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(use as many sheets as necessary)</i> |   |    |   | <b>Complete if Known</b> |                     |
|  |   |    |   | Application Number       | 10/605,934          |
|  |   |    |   | Filing Date              | November 6, 2003    |
|  |   |    |   | First Named Inventor     | Robert E. Scarla    |
|  |   |    |   | Art Unit                 | 3724                |
|  |   |    |   | Examiner Name            | Hwei Siu Chou Payer |
| Sheet  | 1 | of | 1 | Attorney Docket Number   | 42994.0217          |

| OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS |                          |   |                |
|--|--------------------------|---|----------------|
| Examiner<br>Initials*                              | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|  |                          | Pictures of Kimball knife (5)   |                |
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|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.  
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☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.



Dated: 11/8/04

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Respectfully submitted,

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A handwritten signature of Howard I. Sobelman.

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